

HISTORIC PRESERVATION COMMISSION

Minutes

April 9, 2009

The Historic Preservation Commission for the City of Salisbury met in regular session on Thursday, April 9th in the Council Chambers at the City Hall, 217 S. Main Street.

The meeting was called to order by the Chairperson, Anne Lyles. She read the purpose and procedure for the meeting.

In addition to Anne Lyles, the following members were present and introduced: Jack Errante, Susan Hurt, Judy Kandl, Andrew Pitner, and Anne Waters.

Absent: Deborah Johnson and Kathy Walters

Swearing-in of new member

Ms. Emily Perry was sworn in by Anne Lyles. She was welcomed by the Commission members present and seated.

Requests for Certificates of Appropriateness

H-08-09 429 S. Church St. – Carol Jean Cooper, owner/applicant

Request: Replacement of sashes in three windows with Anderson renewal sashes in an effort to improve energy efficiency and operational utility while maintaining the architectural character.

Carol Cooper, property owner, and Janet Gapen, staff liaison, were sworn in to give testimony for the request.

Staff presented slides as Ms. Cooper testified that the proposed replacement windows sashes are located in the kitchen (2), and 1 in the bathroom. She informed the Commission that she has changed from the Anderson renewal sashes to Windsor windows instead. She presented pictures of the Windsor windows and testified that they would be exactly like the existing windows with double panes. However, would work on tracks rather than a pulley.

In response to Judy Kandl who asked about the degree of damage to her existing windows, Ms. Cooper stated that the windows have a lot of rot at the joints where the grills connect due to moisture; also, the glazing material has deteriorated. When asked if they were operable, she said not easily because there was no way to keep them up.

Referencing the information given for the Windsor windows, Judy Kandl questioned whether the windows were really true divided lights or not. Ms. Cooper testified that the windows were true-divided light with wood on the inside and the outside.

Janet Gapen informed the Commission members of the types of true-divided light windows that have typically been approved by the Commission. The members noted that the windows proposed did not match the existing windows, or the types of replacement windows that have been approved in the past, because the muntins in this proposal are about 1 ½ inches wide, about twice as wide as the existing. Because each pane was a separate piece of glass on both inside glass and outside glass on this type of window, the muntin has to be twice as thick to hold them all together.

Public Hearing

There was no one present to speak in support or opposition to the request.

Deliberation

Susan Hurt began by stating that she had the same concerns as those expressed by Judy Kandl.

Judy Kandl informed Ms. Cooper of what the guidelines say about the replacement of windows: (1) to repair if possible (2) how significant is the window to the house - is the window original to the house (3) is the requested replacement window appropriate

Susan Hurt stated that there should be a further assessment of the existing windows by the owner.

Anne Waters stated that a true description of the proposed windows was needed.

Janet Gapen informed the Commission that the request could be acted upon as presented or they could request that the applicant come back. She said the applicant could withdraw the application for the proposed windows and look at alternative windows. She suggested that Ms. Cooper defer the request to the next meeting and come back with more information or a different proposal.

Ms. Cooper stated that she would come back to the next month's meeting.

Ms. Gapen said she would give Ms. Cooper the names of persons who do window repair.

Susan Hurt made the motion that the application be deferred in order to provide more time for the applicant to provide additional information or a different proposal.

Andrew Pitner seconded the motion; all members present voted AYE.

Judy Kandl suggested that Ms. Cooper consider a storm window combination for energy efficiency.

H-10-09 314 W. Thomas St. – Kenneth D. & Anne R. Bost, owner/applicant

Request: (1) Replace old masonite siding and wood trim on the house addition with “New Hardi” siding and trim (2) Scrape and paint the front dormer (3) Replace and repair rotted wood.

Kenneth & Anne Bost were sworn in to give testimony for the request.

Mr. Bost testified that they would like to replace the Masonite siding that is on a 70’s addition to the house which has started to deteriorate. He said the paint chips and peels there is also water damage. He would like to replace the Masonite with Hardi siding.

Mr. Bost stated that he also proposes to repair the dormer on the front porch with wood.

In response to Andrew Pitner who asked if the dimensions of the Hardi-plank would be the same as the masonite, he said it would be comparable although he was not sure of the depth.

Anne Waters asked Mr. Bost if he had considered wood siding, and he said, “No.” The wood siding, he said, would probably be more expensive and he preferred the Hardi-plank because it would last longer. He said, “We like the look of the Hardi-plank.”

He testified that the color would be the same as the existing.

Public Hearing

There was no one present to speak in support or opposition to the request.

Deliberation

In response to questions concerning Hardi-plank, Janet Gapen explained that it is cement with wood fiber. She said Hardi-plank has been found to be acceptable on new construction or additions but not on historic structures. She noted that the addition where the Hardi-plank is proposed to be used does not appear to be original.

Andrew Pitner stated that the addition is not visible from the street elevations.

Motion

Susan Hurt made the following motion: “I move that the Commission find the following facts concerning Application #H-10-09 – that Kenneth and Anne Bost, owners of 314 W. Thomas Street appeared before the Commission and sought a Certificate of Appropriateness to replace old Masonite siding and wood trim on the house addition with “New Hardi” siding and trim; scrape and paint the front dormer; replace and repair rotted wood; that no one appeared before the Commission to support or oppose this request, this request should be granted based on The Secretary of Interior Standards for Rehabilitation, and Chapter 2 – Changes to Buildings – Exterior Walls & Trim, pages 14-15, guidelines 3; Chapter 3 - New Construction & Additions – Additions, pages f46-47, guidelines 6 and 7 of the Residential Historic District Design

Guidelines; mitigating factors: addition is not visible from the street; therefore, I further move that a Certificate of Appropriateness for Application #H-10-09 be granted to Kenneth and Anne Bost, owners of 314 W. Thomas Street, to make the changes detailed in the application.”

Andrew Pitner seconded the motion; all members present voted AYE.

H-15-09 419-B S. Main St. – Barry Medinger, owner; Edgrick L. Holland, applicant
Request: 10 x 14 canopy: White color, fire resistant, height of 7 ft. 6 in., peak height of 9 ft. – temporary structure for hand-wash and detailing located to the side of building.

Edgrick Holland was sworn to give testimony for the request.

Staff presented slides to show the location for the proposed 10 x 14 canopy. Janet Gapen explained to the Commission that even though the canopy would be a temporary placement she made the decision to bring it before the Commission for consideration rather than approval by minor works because of its size.

Mr. Holland testified that the canopy was needed for his hand wash and detailing business. The color would be white. He informed the Commission that the canopy would be weighted down in 3-gal buckets filled with sand, and would not be attached to the building. It would be easily removable.

In reference to a question from Judy Kandl, Mr. Holland testified that the canopy would be up for an indefinite period of time.

Public Hearing

Norma Medinger, property owner, was sworn to speak in support of the request.

Ms. Medinger simply stated that she was in favor of Mr. Holland being allowed to put the structure up.

There was no one present to speak in opposition.

Deliberation

Jack Errante noted that the structure would be hidden behind the building on 3 sides.

Susan Hurt stated that the structure would fit the character of its location, and Andrew Pitner added that there would be no change to the appearance.

Motion

Susan Hurt made the following motion: “I move that the Commission find the following facts concerning Application #H-15-09 – that Edgrick Holland, applicant for 419-B S. Main St., Barry Medinger, owner, appeared before the Commission and sought a Certificate of Appropriateness to erect a temporary white, fire-resistant 10’ x 14’ canopy on the side of the building; that Norma Medinger, owner of property appeared before the Commission to support this request; this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 2 – Changes to Buildings – Side & Rear Facades, pages 26-28, guidelines 1-9 of the Residential Historic District Design Guideline; mitigating factor: canopy will not be attached to the building, does not affect the character of the location, and will be surrounded by 2 buildings’ therefore, I further move that a Certificate of Appropriateness for Application #H-15-09 be granted to Edgrick Holland, applicant for 419-B S. Main St., Barry Medinger, owner, to make the changes detailed in the application.”

Anne Waters seconded the motion; all members present voted AYE.

H-16-09 204-206 S. Shaver St. – Miriam & Jonas Howard, owner/applicant

Request: (1) Replacement of windows on west side of duplex with same – wood/energy-efficient (2) Install garage door in keeping with style of the duplex; (3) Repair concrete front porches for safety and aesthetics.

Miriam Howard was sworn to give testimony for the request.

Staff presented slides.

Ms. Howard testified that she would like to replace windows on the west side of the duplex. The proposed windows would be 6/6 energy efficient windows with double pane and silver shadow bar, wood in and out, clear glass, and non-removable grills. The sashes in all the windows will be replaced.

She further testified that a new garage door, needed for security, would be installed. The proposal is for an over-head steel door with no windows, and carriage type hardware. The door will be painted green.

Ms. Howard continued with testimony pertaining to the repair of the concrete front porch. She testified that the existing slate on the porch would be removed and replaced with new brick pavers. The brick pavers would also be placed on the steps, the front walkway, and used for the repair of the top of the side walls.

In response to questions from Judy Kandl, Ms. Howard stated that the steps’ riser dimension would be the height of 2 bricks. She also testified that the existing slate on the porch was not original. The original floor, she said, had been brick, matching the steps.

Ms. Howard did not have a sample of the proposed brick but stated that the color would probably be a rust color with a red tone.

Judy Kandl suggested that Ms. Howard present a brick sample to the minor works committee for approval once she decides the exact color preferred.

Public Hearing

There was no one present to speak in support or opposition to the request.

Deliberation

Ms. Howard explained how the wall caps would be repaired in response to a request of from Andrew Pitner .

Jack Errante noted that a garage very similar to the garage proposed by Ms. Howard was recently approved by the Commission for another property owner.

Anne Lyles verified that the existing windows in the structure are beyond repair, a fact that she was aware of because of work that she was involved in on the house prior to the current ownership. She said the green paint on the windows probably camouflages their decayed state.

In response to questions from Judy Kandl, Ms. Howard testified that the windows would have 2 separate casings, and that the outside frame would remain. However, Ms. Kandl said Ms. Howard's description of the replacement windows sounded like they would have a double casing and stated that a sample of the window was needed.

Janet Gapen explained that it would be a replacement sash that fits in the existing frame.

In reference to the degree of deterioration to the existing windows, Ms. Kandl said in her opinion the Commission should take Anne Lyles' comments as those from an expert because of her experience in dealing with historic restorations.

There being no other discussion from the Commission, Susan Hurt made the motion as follows:

"I move that the Commission find the following facts concerning Application #H-16-09 – that Miriam & Jonas Howard, owners of 204-206 S. Shaver Street, appeared before the Commission and sought a Certificate of Appropriateness to replace windows on the west side of the duplex with matching wood/energy efficiency windows, install steel garage door, and repair concrete front porches, and replace existing slate with new brick pavers, cover front steps and portions of front walkway; that no one appeared before the Commission to support or oppose this request, this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 2 – Changes to Buildings – Windows & Doors, pages 16-19, guidelines 1,2,4,5,11,and 12; Changes to Buildings – Garages and Outbuildings, pages 24-25, guidelines 2 and 3 of the Residential Historic District Design Guidelines; mitigating factors: windows are deteriorated beyond repair; the existing slate is probably not original; therefore, I further move that a Certificate of Appropriateness for Application #H-16-09 be granted to Miriam & Jonas Howard, owners of 204-206 S. Shaver Street, to make the changes detailed in the application

with the following changes agreed to by the applicant: the garage door will not have windows as picture showed; brick pavers will be brought to the minor works committee when the choice is made.”

Jack Errante seconded the motion; all members present voted AYE.

H-17-09 700 S. Fulton St. – Andrew & Kristen Hodges, owner/applicant

Request: (1) 6-foot treated pine fencing (dog-ear top) between the residence and neighbor’s fencing at 706 S. Fulton St. (2) Curved driveway in the side yard served by W. Thomas St.

Andrew & Krystal Hodges were sworn to give testimony for the request.

Staff presented slides.

Andrew Hodge informed the Commission that he had come to meeting better prepared than what he had been at the March meeting.

He began by testifying that his house was located on a very dangerous intersection which makes it make it difficult to back onto Thomas St. without crossing the rear lane of traffic. He said the proposal is still for a curved driveway in the side yard served by W. Thomas St. Mr. Hodge referred Commission members to the submitted plans for the proposed semi-circle driveway. He informed the Commission that he did not present the correct measurements at the last meeting but was able to do so at this meeting. He stated that there was 22 ft. between the house and sidewalk, and 30 ft. between the house and street. Mark Martin, he said, would be offering suggestions relative to some screening on the front.

Mr. Hodge testified that although gravel was their preferred choice for the driveway material, because the existing driveway is concrete, they would continue with concrete.

In reference to questions from Jack Errante, Mr. Hodge testified that no existing bushes would need to be removed from the property. He said the bush closest to the driveway would not removed but kept trimmed.

Testimony continued with the request for a 6-foot treated pine fence with a dog-ear top that would enclose the back yard of the property continuing the neighbor’s fencing at 706 S. Fulton St., with a gate. The fence would be in the same style as his neighbor’s but with a better grade of wood. It would be 75 ft. from the existing sidewalk. Mr. Hodge testified that he would move the fence back to beyond the existing meter boxes.

Following the discussion of the location of the fence, Janet Gapen said the Commission has the discretion to vary from the guidelines when it was necessary because of changes that may have been made since the area became a historic district. The guidelines, she stated, are applied case-by-case.

Public Hearing

There was no one present to speak in support or opposition to the request.

Deliberation

Judy Kandl and Susan Hurt voiced their concerns of the driveway, both stating that the driveway did not meet the standards of the driveway because it should not be located on the front. Susan Hurt read from the Residential Guidelines Chapter 4 Site Features & District Setting – Driveways & Offstreet Parking the following statement: *The introduction of additional off-street parking must be weighed carefully and should only be considered if the parking area can be located unobtrusively in the rear or rear side yard, can be visually screened from the street and adjoining properties, will not abut the house, and will not destroy the residential character of the site by eliminating significant landscape features or a substantial portion of the rear yard.* She said, “This (driveway) is substantially placed in the front yard.” Ms. Hurt continued by saying that cars shown in the pictures presented look like they were abutting the house. She stated that the Commission has to think of precedence.

Judy Kandl said the property could be accessed from the alley. She reminded Commission members that requests have been turned down in the past from property owners who said it was not safe to back out into the street.

Anne Waters said the owners have presented pictures of existing circular driveways in the district that are very similar to what they are requesting. However, Judy Kandl noted that practically none of the pictures apply to theirs and pointed out some of the differences.

Andrew Pitner informed the Commission that he was really in a conflict. He said that though parts of the request did not meet the guidelines, he felt that the Mr. & Mrs. Hodges had done everything to meet as many of the others as possible. Anne Walters agreed saying, “Sometimes we have to make changes according to the situation.”

Judy Kandl explained that her concern is that more and more green space is being lost in the overall appearance of the historic districts if driveways are continually allowed. She said historic neighborhoods should be pedestrian friendly.

Anne Lyles told Commission members that she understood everyone’s concerns and could see not setting a precedence; however, she continued, “I’m o.k. with the curved driveway; I can see the reason for it.”

Jack Errante agreed that it was a very difficult decision, but when it doesn’t meet the guidelines the Commission faces all kinds of problems.

In reference to the fence, Susan Hurt said, “The fencing does not meet the guidelines either.” She said the guidelines are pretty clear cut on fencing.

Judy Kandl said there really did not need to be an opposition to the guidelines between a 42 inch fence at one location and a 6 ft. fence at the next door because every house is unique. She said the 2 different sizes side by side should not be a problem.

Motion

There being no further discussion, Jack Errante made the motion as follows: “I move that the Commission find the following facts concerning Application #H-17-09 – that Andrew & Kristen Hodges, owners of 700 S. Fulton Street, appeared before the Commission and sought a Certificate of Appropriateness to install a 6 ft. wooden fence in back yard connecting to the neighbor’s fencing, and to install a side curved driveway; that no one appeared before the Commission to support or oppose this request, this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 4 – Site Features & District Setting – Driveway & Off-street Parking, pages 60-61, guidelines 1-4 of the Residential Historic District Design Guidelines; mitigating factors: placement of fence in effort to be compliant with the neighbor’s non-conforming fence; therefore, I further move that a Certificate of Appropriateness for Application #H-17-09 be granted to Andrew & Kristen Hodges, owners of 700 S. Fulton Street to make the changes detailed in the application.”

Jack Errante seconded the motion. Commission members Errante, Lyles, Perry, Pitner, and Waters voted AYE; members Hurt and Kandl voted NO.

H-18-09 128 S. Fulton St. – Edward & Susan Norvell, owner/applicant
Chad Vriesma, agent

Request: Replace asphalt driveway with concrete stamped driveway – cobblestone pattern.

Edward & Susan Norvell were sworn to give testimony for the request.

Staff presented slides.

Edward Norvell testified that they would like to replace the existing asphalt circular driveway with a concrete stamped driveway in a cobblestone pattern. He clearly testified that the change was for the material only. The driveway would remain in its same configuration.

Public Hearing

There was no one present to speak in support or opposition to the request.

Deliberation

There were no questions or concerns relative to the request.

Motion

Jack Errante made the motion as follows: “I move that the Commission find the following facts concerning Application #H-18-09 – that Edward and Susan Norvell, owners of 128 S. Fulton St., appeared before the Commission and sought a Certificate of Appropriateness to replace the side asphalt driveway with cobblestone patterned stamped concrete; that no one appeared before the Commission to support or oppose this request, this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 4 – Site Features and District Setting – Driveways & Off-street Parking, pages 6061, guidelines 1 and 9 of the Residential Historic District Design Guidelines; mitigating factors: none; therefore, I further move that a Certificate of Appropriateness for Application #H-18-09 be granted to Edward & Susan Norvell, owners of 128 S. Fulton Street, to make the changes detailed in the application.”

Andrew Pitner seconded the motion; all members present voted AYE.

H-19-09 321 E. Bank St. – Historic Salisbury Foundation, owner
Gwen Matthews, applicant

Request: Remove old non-original windows on sun porch, replace with like kind windows - wood frames, one over one.

Gwen Matthews was sworn in to give testimony for the request.

Staff presented slides.

Ms. Matthews testified that they would like to replace the non-original windows that had been installed in 1960. She reminded the Commission that the same request was made in February but then withdrawn because of the decision to repair them. However, they have now determined that too much time would be required to repair the windows; in addition to the fact that the single pane, one-over-one wood replacement windows have been donated to them.

Janet Gapen informed the Commission that the Sanborn maps did show that the sun porch was not original.

Public Hearing

There was no one present to speak in support or opposition to the request.

Deliberation

Commission members had no questions or concerns for discussion.

Motion

Susan Hurt made the following motion: "I move that the Commission find the following facts concerning Application #H-19-09 – that Gwen Matthews, applicant for Historic Salisbury Foundation, owner of 321 E. Bank street, appeared before the Commission and sought a Certificate of Appropriateness to remove old non-original windows on sun porch, replacing with like kind – one-over-one wood frame windows, that no one appeared before the Commission to support or oppose this request, this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 2 – Changes to buildings – Windows and Doors, pages 16-19, guidelines 1,2,4,5,6, and 11-15 of the Residential Historic District Design Guidelines; mitigating factor: window and porch are not original; therefore, I further move that a Certificate of Appropriateness for Application #H-19-09 be granted to Gwen Matthews, applicant for Historic Salisbury Foundation, owner of 321 E. Bank Street, to make the changes detailed in the application."

Andrew Pitner seconded the motion; all members present voted AYE.

Committee Reports

Minor works There were no questions from Commission members concerning the March 2009 minor work approvals.

Report from nominating committee Andrew Pitner, speaking on behalf of the committee, requested a delay until the May meeting for their report in order to get additional desired information. The acting Chair and Vice-Chair agreed to serve until the next meeting.

Other Business

In reference to a question from Anne Waters regarding the information given to prospective COA applicants, Janet Gapen explained the procedure. She stated that the applicants are advised of what needs to be submitted with the application. However, she said, "We do not want it to become so difficult that they feel professional drawings are required."

Ms. Gapen also stated, in response to a question from Jack Errante, that driveway permits are not needed unless it is for a state road. Otherwise, questions regarding driveways are run by the Traffic Engineer and the Street Division Manager.

Preservation Month

Janet Gapen reminded Commission members that the month of May is Preservation Month. She recapped the activities from Preservation Month 2008 which included a coloring contest of historic buildings and houses and a booth/tent at Salisbury's Night-Out.

The coloring pages, for different age categories, were run in the Salisbury Post two times. The Post, she said, sold the ads and provided the text on the coloring page. The winners were posted on Access 16 and in the library.

As for the Night-Out, Ms. Gapen said if the decision was to have the booth this year; it would be her choice to forgo the ice cream give-away because it was so much trouble.

Susan Hurt stated that she would be in favor of the booth again as well as the coloring contest.

Anne Waters suggested candy of some kind at the booth instead of ice cream.

All members agreed with the suggestions made. Ms. Gapen stated that the plans for the occasion could proceed through email with everyone rather than forming a committee.

Blackmer House

Janet Gapen referred the members to the Blackmer House report which was sent out in the agenda packets. The report included information from the committee meeting at City Hall on March 26th concerning the property at 112 S. Fulton Street commonly known as the Blackmer House.

Anne Lyles informed the Commission that the Historic Salisbury Foundation also had a meeting concerning the Blackmer House. She said there were 2 persons at the meeting who are acquaintances of Jonathan Blackmer who plan to speak to him and found out just what he would be open to in saving the house from demolition.

Incentive Grant Committee

Janet Gapen informed the Commission that deadline for submission of the grant applications is April 13th. She would like to schedule a luncheon meeting on April 16th at noon to select the recipients of the grants. Judy Kandl and Emily Perry volunteered to serve on the committee with Ms. Gapen.

Formal Introduction of Emily Perry

Janet Gapen again acknowledged the newly sworn-in member of the Commission, Emily Perry. Ms. Gapen allowed Ms. Perry the opportunity to introduce herself to the Commission. Following her introduction, Ms. Perry was once again welcomed to the Commission.

Minutes

The February minutes were approved with corrections made by Judy Kandl; the March minutes were approved as presented upon a carried motion made by Susan Hurt.

Adjournment

There being no other business to come before the Commission, the meeting was adjourned by the Chair at 8:35 p.m.

Anne Lyles, Chairperson

Judy Jordan, Secretary